

DETAILED ACTION

Drawings

1. The drawings filed 17 May 2006 are acceptable.

Specification

2. The disclosure is objected to because of the following informalities: see MPEP 608.01 “USE OF METRIC SYSTEM OF MEASUREMENTS IN PATENT APPLICATIONS”: In order to minimize the necessity in the future for converting dimensions given in the English system of measurements to the metric system of measurements when using printed patents as research and prior art search documents, all patent applicants should use the metric (S.I.) units followed by the equivalent English units when describing their inventions in the specifications of patent applications. The initials S.I. stand for “Le Système International d' Unités,” the French name for the International System of Units, a modernized metric system adopted in 1960 by the International General Conference of Weights and Measures based on precise unit measurements made possible by modern technology. Appropriate correction is required for the above objection.

Claim Objections

3. Claims 39, 52 and 54 are objected to because of the following informalities: in claim 38, line 2, “light” should be changed to “lighted”; in claim 52, the second occurrence of “(g)” should be changed to “(h)” and “(h)” should be changed to “(i)”; in claim 54, line 3, “light” should be inserted before “beam” . Appropriate correction is required for the above objections.

Art Unit: 3711

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 35-37, 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Landeen (2,924,186).

Regarding claim 35, Landeen discloses a line forming apparatus for forming a line on the ground, said line forming apparatus comprising:

a frame (structural frame 6);

at least one roller (guide wheel 4) attachable to said frame, said roller being adapted to moveably support said frame over the ground;

at least one disc (the broadest reasonable interpretation of disc would include the combination of furrow opener or share 14 and tape-guide shoe 3) rotatably attachable to said frame;

at least one spool (rod 2) rotatably attachable to said frame; and

a woven material (seed bearing tape 1) associated with said spool and fed to said disc;

wherein said disc being adapted to form a slit in the ground and feed said woven material into the slit.

Regarding claim 36, Landeen shows at least one spool tensioner (tension roll or wheel 8) associated with said spool.

Art Unit: 3711

Regarding claim 37, Landeen shows a weave tensioner adapted to have said woven material pass therethrough, said weave tensioner being positioned between said disc and said spool (metering roll; see column 3, lines 8-22).

Regarding claim 44, during normal use and operation of the Landeen device, the method steps set forth by applicant in the claim is inherently provided.

Allowable Subject Matter

6. Claims 52-54 would be allowable if rewritten or amended to overcome the objections(s, set forth in this Office action.

7. Claim 39 would be allowable if rewritten to overcome the objection(s) under 35 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claims 38, 40-51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MITRA ARYANPOUR whose telephone number is (571)272-4405. The examiner can normally be reached on Tuesday-Thursday 10:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mitra Aryanpour/
Primary Examiner, Art Unit 3711